

**NEBRASKA STATE BOARD OF HEALTH MEETING
MINUTES – NOVEMBER 19, 2012**

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Chair, Gary Westerman, DDS, at 1:05 PM on June 18, 2012 in Conference Room 1-Z of the State Office Building in Lincoln. Copies of the agenda were mailed to board members, news media, and other interested parties prior to the meeting, and posted on the Health and Human Services website. The following members were present: Janet Coleman; Ted Evans, DVM; Russell Hopp, DO; Diane Jackson, APRN; Ken Kester, Pharm D, JD; Dale Michels, MD; Debra Parsow; Rich Robinson, PE; Luisa Rounds, RN; Paul Salansky, OD; Wayne Stuberg, PhD, PT; John Tennity, DPM; Gary Westerman, DDS; and Daryl Wills, DC. Quorum met. Members not in attendance: Edward Discoe, MD; Roger Reamer, MBA. Staff attending: Ron Briel, Monica Gissler, David Montgomery, Kay Pinkley.

APPROVAL OF AGENDA. Dr. Westerman asked if there were any changes to the agenda for the meeting today. There being no objections, the agenda was approved by consent calendar. Dr. Westerman offered an amendment to add a New Business item of a Closed Session at the end of the agenda, following the election of new officers. All were in favor of the agenda as revised.

APPROVAL OF MINUTES. Dr. Westerman asked if there were any changes to the minutes from the September 17, 2012 meeting. There being no objections, the minutes were approved by roll call vote as amended.

Dr. Westerman asked if there were any changes to the minutes from the October 29, 2012 meeting. There being no objections, the minutes were approved by roll call vote as amended.

CHAIRPERSON'S REPORT. Dr. Westerman reported on the following:

1. Has anyone attended any professional board meetings that they would like to report on?

Ms. Jackson attended the APRN Board meeting on October 5th. Telehealth was a big topic. Dr. Tennity attended the October 26th Board of Podiatry meeting. Smooth running board. Dr. Kester attended the November 5th Board of Pharmacy meeting. There was a meningitis outbreak in Massachusetts from pharmaceuticals. Dr. Westerman attended the October 12th Board of Dentistry meeting, much of which was closed.

There is a current 2012/13 Professional Board Meeting Schedule on the handout table. It is important that you let Monica know in advance when you plan to attend a meeting, and if you plan to attend the entire meeting or just a portion. If the meeting includes a working lunch, a lunch will not be ordered for you, unless specific arrangements are made.

2. At end of our meeting today we will hold election of officers. The new Executive Committee will review committee preference sheets for 2013 at that time and make assignments, so if you have not already submitted your preferences to Monica, please do so.
3. Committee Chairs – your draft 2012 annual committee report is due today. Staff will assist with incorporating information from our meeting today, and we will approve the final Board of Health Report for 2012 on the morning of January 28th.
4. Due to the small number of professional board appointments being made this cycle, Helen Meeks has decided not to conduct a group session for New Board Member Orientation this December. This is a cost savings measure. Section Administrators will orient new members.
5. Please thoroughly review your Expense Reimbursement Document to ensure all information is accurate and complete. Be sure to include start and stop times. Check your license plate box and make sure your current number is listed. All expense related documentation must be submitted within 30 days. The staff will appreciate your effort with this. And sign it!
6. On January 28th we will hold our annual legislative luncheon. You will need cash on hand that day to pay for your own meal, and a share of lunch for our invited guests. If your state senator has changed as a result of the recent election, please let Monica know.
7. And finally, I am pleased to announce that a new secretary has been hired for Dave Montgomery's office. Marla Scheer will start on December 3rd, so we will look forward to meeting her in January.

DEPUTY CHIEF MEDICAL OFFICER'S REPORT. Dr. Acierno reported on the activities of the Licensure Unit. Dr. Westerman requested an update on a Director of Oral Health, but no new information was available.

Dr. Evans made a motion to receive both of these reports under agenda item #3; seconded by Dr. Stuberg. All in favor by voice vote.

COMMITTEE REPORTS.

Credentialing Review (407) Committee – Ms. Coleman presented.

1. Advise the full Board of Health regarding the composition of the upcoming Acupuncture / Oriental Medicine Technical Review Committee. Ms. Parsow will chair the TRC. Members are asked to send nominations in, especially for professional and technical members.
2. Update on the Nurse Practitioner Review. Ms. Coleman will chair. The first meeting is scheduled for December 14th.
3. Additional Updates: Possible New Reviews include the following:

Dental Anesthesia
Dental Assistants
Equine Massage Therapy
Manicure / Pedicure
Optometry

Highlights from the Committee Annual Report were reviewed.

Mr. Wills made a motion to receive this committee's report, seconded by Dr. Kester. All in favor by voice vote.

Rules and Regulations Committee – Dr. Kester reported.

Regulations for review by the Board of Health:

- 172 NAC 7, Rules and Regulations for School Health Screening, Physical Examination, and Visual Evaluation; and Title 173 NAC 3 School Health, Communicable Disease Control, and Immunization Standards. DHHS staff member Kathy Karstens attended. These regulations enact for the first time the department's regulatory authority as assigned in Neb. Rev. Stat. 79-249, promulgating rules and regulations for school health inspections in Nebraska's public schools, including qualifications of persons authorized to screen, and health conditions to be observed and remedied. The school health screening statutes in Nebraska were originally written in 1919.

The proposed regulations were developed with the participation of a multidisciplinary steering committee convened by the DHHS School Health Program in 2008. Steering committee members include two school nurses – at least one of whom is from a rural area of the state, representing the two state school nursing organizations; a pediatrician representing NE American Academy of Pediatrics; a Dept. of Education appointee; a member from the Nebraska Association of School Boards, a member from the Educational Service Units; a school administrator representing the NE Council of School Administrators, a local public health representative, and four DHHS staff. An effort was made to have both rural and urban interests represented.

Dr. Kester made a Committee motion to accept these regulations, as no formal approval is required. Roll call vote: Voting yes: 15 (Coleman, Evans, Hopp, Jackson, Kester, Michels, Parsow, Robinson, Rounds, Salansky, Stuberg, Tennity, Warner, Westerman; Wills); voting no: 0; not voting: 0. Motion carries.

There was an updated status report of the UCA regulations shared. Dr. Michels made a motion to receive the review of these regulations and this Committee report, with a second by Dr. Wills, and all were in favor by voice vote.

Professional Boards Committee. Dr. Tennity, Committee Chair, reported.

The Committee members interviewed nine applicants to serve on four professional boards, and made the following recommendations for appointment:

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art:

Cosmetologist Member – Appoint David Newson from Elkhorn for the term November 19, 2012 through November 30, 2017.

Esthetician Member – Appoint Vicki Criswell from Plattsmouth for the term of December 1, 2012 through November 30, 2017.

Public Member – Appoint Bridget Anderson from Lincoln for the partial term of November 19, 2012 through November 30, 2015.

Board of Medical Radiography:

Re-Appoint Denise Logan, BS, RT (R)(M) from Lincoln for the term of December 1, 2012 through November 30, 2017.

Board of Mental Health Practice:

Appoint Dale Battleson, PhD, from Omaha for the partial term of November 19, 2012 through November 30, 2014.

Board of Nursing Home Administration:

Appoint Alexander Willford of Grand Island for the partial term of November 19, 2012 through November 30, 2015.

Board of Occupational Therapy Practice:

Appoint Lisa Andersen, OTR/L, CDRS of Lincoln for the term of December 1, 2012 through November 30, 2017.

Dr. Tennity made a Committee motion to approve these appointments. Dr. Westerman asked if anyone wanted to separate out any of the appointments, and no one did. Roll call vote: Voting yes: 15 (Coleman, Evans, Hopp, Jackson, Kester, Michels, Parsow, Robinson, Rounds, Salansky, Stuberg, Tennity, Warner, Westerman; Wills); voting no: 0; not voting: 0. Motion carries.

Dr. Salansky had suggested that there be a system to track applicants who have previously interviewed. This will be revisited in January.

The Committee annual report was reviewed. This was a slower year for appointments, and 2013 will be the same. In 2014 there will be many more scheduled vacancies.

Dr. Michels made a motion to receive this Committee report with a second by Dr. Hopp; all in favor by voice vote.

Public Health, Education and Legislation Committee: Dr. Hopp, Committee Chair, reported.

1. Legislative Update included brief discussion of Proposed legislative bills for 2013; Interim Studies; and New Senators.
2. Legislative Luncheon. The format will basically be the same as previous years. All members of the HHS Legislative Committee and all newly elected senators will be invited. There will be a discussion of the important role of the Credentialing Review program. A new caterer will be used this year. Board members are reminded to bring cash on the January 28th meeting day.
3. Committee conference call to screen introduced bills – Day 1 is January 9th and Day 10 is the 23rd. There will be a committee conference call on Friday, January 25th to form recommendations
4. The PHEL Committee Annual Report was presented.

UNFINISHED BUSINESS. The Executive Committee is developing a guideline for mediation with professional boards. Dr. Michels made a motion to move forward with finalizing the draft, and Dr. Salansky seconded it. All were in favor with the exception of Dr. Stuber. This item will carry over.

NEW BUSINESS.

- Election of Board of Health officers for 2013. Voting took place via secret ballot, with results tallied by Dave Montgomery.

For position of Chair: Dr. Michels was elected.

For position of Vice Chair: Dr. Wills was re-elected.

For position of Secretary: Dr. Salansky was elected.

All three accepted their appointments. Congratulations to our officers!

- At 2:20 PM, Dr. Wills made a motion to go into CLOSED SESSION to discuss a board member issue; motion seconded by Dr. Michels.
- At 3:26 PM, Dr. Michels made a motion to return to OPEN SESSION, and the motion was seconded by Dr. Salansky. As a result of the closed session, a Review Panel will be formed to look into the issue. It will be chaired by Dr. Kester; other members include Ms. Coleman, Dr. Salansky, and Dr. Wills.

PUBLIC COMMENTS. None.

PREPARATION FOR NEXT MEETING. The next regular Board of Health meeting will be

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January 28, 2013 at the Nebraska Bar Foundation for the Legislative Luncheon.
Board of Health meeting dates for 2013: January 28, March 18, June 17, September 16, and
November 18.

ADJOURN. There being no further business, the meeting adjourned at 3:31 PM. Minutes taken
by Monica Gissler. Minutes will be approved by the full Board of Health on January 28, 2013.

NOTE: If you would like to receive these minutes electronically instead of receiving a hard copy, please send a
request to the email address below. Please also inform staff if you would like to be removed from this distribution
list altogether. *If you would like any attachments mentioned in these minutes, or have other questions, please
contact Monica Gissler, 402/471-6515, Fax 402/471-0383, or monica.gissler@nebraska.gov.*

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